

Application Number 10/574048
Response to the Office Action dated May 21, 2008

REMARKS

Favorable reconsideration of this application is requested in view of the following remarks.

Claim 1 has been amended to specify moieties R, X, X', Y, Y', the ring A, Z¹, Z², Z³, B, R¹, R³, and R⁴ of Formula (I) compound. Claim 3 has been amended to specify further the group R of the compound. Accordingly, claims 4, 6, 8, 9, and 11 have been canceled without prejudice. Claim 10 has been amended to specify a bonding position of the piperazine ring with Z¹. Claim 13 has been amended to limit compounds to the compounds in examples 5 and 12 in the specification. Claim 7 has been amended editorially.

Claims 1, 3-13, and 15-19 have been objected to for containing non-elected subject matter. Claims 4, 6, 8, 9, and 11 have been canceled. Claim 1 has been amended to limit the Formula (I) compound to the elected subject matter, in particular, limit Y' to -C(=O)-, A to a piperazine ring, X, X', and Z² each to a bond, and B to the second group from the left of the previously presented formulas in claim 1. Accordingly, this objection should be withdrawn.

Claims 1, 3-13, and 15-19 have been rejected under 35 U.S.C. 112, first paragraph as not complying with the written description requirement. Applicants respectfully traverse this rejection.

Claims 4, 6, 8, 9, and 11 have been canceled. Claim 1 has been amended to limit the compounds as discussed above. Accordingly, the scope of the claims are clear, the compounds reduced to practice are sufficiently described as examples in the specification and show Applicants' possession of the claimed compounds at the time of filing, and the activities of the claimed compounds are confirmed by IC₅₀ data in the specification. For example, the descriptions of examples 5, 12, and 44 in the specification regarding manufacturing methods, NMR data (see page 111, line 4 – page 112, line 5, page 119,

Application Number 10/574048

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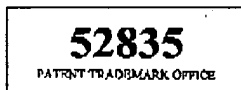
line 20 – page 121, line 15, and page 175, line 4 – page 176, line 14, respectively), and IC₅₀ data (see table 1 at page 280) sufficiently show Applicants' possession of the claimed compounds on the filing date. Further, the IC₅₀ data of these examples sufficiently support inhibitory activities of the claimed compounds (see table 1 at page 280 and page 280, line 15 – page 281, line 7). Accordingly, the specification of the present application satisfies the written disclosure requirement, and this rejection should be withdrawn.

Claims 1, 3-13, and 15-19 have been rejected under 35 U.S.C. 112, first paragraph as not complying with the enablement requirement. Applicants respectfully traverse this rejection.

Claims 4, 6, 8, 9, and 11 have been canceled. Claim 1 has been amended to limit the claimed compounds as discussed above, and the description of the manufacturing methods in the specification, for example, the disclosure of the methods of examples 5, 12, and 44, sufficiently provides those skilled in the art with information to produce the claimed compounds (see page 111, line 4 – page 112, line 5, page 119, line 20 – page 121, line 15, and page 175, line 4 – page 176, line 14, respectively). The use of the compounds also is taught as noted above. Accordingly, the specification of the present application satisfies the enablement requirement, and this rejection should be withdrawn.

Application Number 10/574048
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In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.

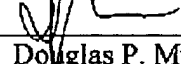


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DPM/my/ad

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